

THE HONORABLE BARBARA J. ROTHSTEIN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

COOPER MOORE and ANDREW GILLETTE, on
their own behalf and on behalf of all others
similarly situated,

Plaintiffs,

v.

ROBINHOOD FINANCIAL LLC, a Delaware
limited liability company,

Defendant.

Case No. 2:21-cv-01571-BJR

**REVISED STIPULATED MOTION AND
ORDER EXTENDING DEADLINES**

I. REVISED STIPULATED MOTION

1. On January 26, 2023, the Court entered its Order Setting Case Schedule (ECF No. 69), outlining the deadlines for the case through trial.

2. On April 18, 2023, the Court entered an Order granting the parties' stipulated motion for an extension of the deadlines set in the January 26, 2023 scheduling order (ECF No. 74).

3. On July 12, 2023, the Court entered an Order granting the parties' stipulated motion for an order extending deadlines (ECF No. 80).

4. The parties continue to diligently conduct discovery. Robinhood produced over 30,000 pages of documents, with its most recent production occurring on August 9, 2023, and has represented that its document production is substantially complete.

5. Plaintiffs have produced over 1,000 pages of documents and last supplemented their document production on August 11, 2023. Plaintiffs have represented that their production is substantially complete.

6. The parties are working to resolve any remaining issues concerning those productions; to provide supplemental written responses; and to conduct discovery with relevant third parties. Plaintiffs are diligently reviewing the documents Robinhood produced. Plaintiffs also are working with their expert to analyze data that Robinhood produced on July 6 and July 10, 2023.

7. Robinhood has deposed the two non-parties who sent the allegedly illegal texts to Plaintiffs, and the parties are working to schedule the depositions of Plaintiffs. Plaintiffs have served a Federal Rule of Civil Procedure 30(b)(6) deposition notice, but due to scheduling challenges, the parties have been unable to set a date for the deposition sufficiently in advance of the deadline for Plaintiffs' expert reports. Further, Plaintiffs are still reviewing Robinhood's substantial document productions and may determine that additional depositions of Robinhood witnesses are necessary.

8. The parties have scheduled an in-person mediation with experienced mediator Robert A. Meyer of JAMS that will take place in Century City, California on October 30, 2023.

9. The current deadline for Plaintiffs' expert reports is August 28, 2023, and the current deadline to complete class certification fact discovery is September 15, 2023. The parties require additional time to schedule the Rule 30(b)(6) deposition of Defendant, to complete review of the substantial number of documents produced in advance of these deadlines, and to complete any additional depositions.

10. The parties therefore stipulate and agree to the following proposed extended schedule, subject to the Court's approval. The proposed modified schedule extends the deadline for Plaintiffs to file their class certification motion by two months and requests a short two-week continuance of the pretrial conference and trial date:

Event	Current Date	Requested Date
Plaintiffs' expert report(s) served on defendant	August 28, 2023	October 27, 2023
Deadline for class certification fact discovery	September 15, 2023	November 22, 2023

Defendant's expert report(s) served on plaintiffs	October 2, 2023	December 4, 2023
Plaintiffs' rebuttal expert report(s) served on Defendant	November 14, 2023	January 15, 2024
Deadline for the parties to engage in private mediation	October 31, 2023	No change
Deadline to complete class certification expert discovery	December 1, 2023	February 2, 2024
Deadline for Plaintiffs to file motion for class certification	January 10, 2024	March 8, 2024
Deadline for Defendant's class certification response	February 7, 2024	April 5, 2024
Deadline for Plaintiffs' class certification reply	February 28, 2024	April 19, 2024
Fact discovery cut off	September 23, 2024	November 22, 2024
Disclosure of expert testimony under FRCP 26(a)(2)	October 25, 2024	January 10, 2025
Expert discovery cutoff	November 22, 2024	January 31, 2025
Dispositive motion deadline (including motions regarding experts)	January 24, 2025	February 28, 2025
Deadline to file proposed pretrial order (including joint pretrial statement), proposed joint <i>voir dire</i> , proposed jury instructions, proposed verdict form, and motions in limine (to be filed in a single, joint brief)	April 2, 2025	April 30, 2025
Pretrial conference	April 17, 2025	May 12, 2025
Trial date	May 1, 2025	May 27, 2025

Based on the foregoing, the parties respectfully request that the Court grant their motion and extend the case schedule accordingly.

STIPULATED TO AND DATED this 21st day of August, 2023.

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II. ORDER

The Court GRANTS the parties' stipulated motion, ECF No. 82. The prior motion, ECF No. 81, is denied as moot.

IT IS SO ORDERED on this 21st day of August, 2023.



HONORABLE BARBARA J. ROTHSTEIN
UNITED STATES DISTRICT JUDGE